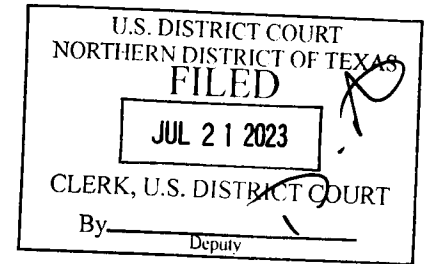


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



TRACEY HARRIS COOMER,

Plaintiff,

v.

2:18-CV-121-Z-BR

MARK ROTH, *et al.*,

Defendant.

**ORDER ADOPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
AND
DISMISSING CIVIL RIGHTS COMPLAINT**

Before the Court are the findings, conclusions, and recommendation of the United States Magistrate Judge to grant the Defendants' joint motion for summary judgment and dismiss the civil rights complaint filed by the Plaintiff in this case. ECF No. 73. Objections to the findings, conclusions, and recommendation have been filed. ECF No. 74. After making an independent review of the pleadings, files, records, relevant law, and objections in this case, the Court concludes that the findings, conclusions, and recommendation of the Magistrate Judge are correct. It is therefore **ORDERED** that the findings, conclusions, and recommendation of the Magistrate Judge are **ADOPTED**, the objections (ECF No. 74 at 1) are **OVERRULED**, Plaintiff's Motion to Compel (ECF No. 65) is **DENIED**, and the Defendants' joint motion for summary judgment (ECF No. 62) is **GRANTED**.

Plaintiff also failed to serve the sole remaining Defendant, although Plaintiff filed with the Court a summons and letter — addressed to that Defendant¹ — reporting that service was

¹ The summons recites Anthony Marquez's last known address, despite the address being filed under seal and this Court's order to redact references to that address in documents sent to Plaintiff. *See* ECF Nos. 46,

completed, or possibly purporting to effect service, upon Defendant Anthony Marquez. But no proof of such service has been presented to the Court. Thus, the complaint is **DISMISSED**.

IT SO ORDERED.

July 21, 2023

A handwritten signature in black ink, appearing to read 'Matthew J. Kacsmarik', written over a horizontal line.

MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE

58. Moreover, service at that address was previously ordered and returned unexecuted because Defendant Anthony “Marquez no longer lives at the provided address.” ECF Nos. 58, 60 at 2.